RAJYA SABHA

Wednesday, the 17*th December,* 2003/26 *Agrahayana,* 1925 *(Saka)*

The House met at eleven of the clock,
MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

Rape of Swiss Diplomat

*221. SHRI LALIT SURI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any breakthrough in the case of rape of a Swiss Diplomat having been abducted in her own car from the Siri Fort Auditorium parking on 14th October, 2003 has been achieved;

(b) if so, the details thereof;

(c) if not, what steps are being taken to nab the culprits;

(d) what was the deployment of police personnel at the parking outside Siri Fort Auditorium on that day; and

(e) if no policeman was posted there, the action taken against the concerned officers responsible for the lapse?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK): (a) to (e) A Statement is laid on the Table of the House.

Statement

(a) No, Sir.

(b) Does not arise.

(c) Delhi Police has, *inter-alia*, made the following efforts so far to nab the culprits:

(i) Over 20 teams of seasoned and experienced investigators were deployed for the investigation and a massive manhunt was launched in which all the listed criminals with similar description and similar *modus-operandi* were interrogated and their movements verified.

(ii) Based on the descriptions given by the victim, computer portraits of the suspects were prepared and the same were given wide publicity through media/cable network for seeking information from public;

(iii) Chance finger prints developed from the vehicle were matched with available data bank of Delhi Police and sent to neighbouring States for comparison;

(iv) Photographs of 74 suspects were sent to the victim and she gave positive indication about some of them who were examined/ interrogated at length;

(v) Blood samples of seven suspects identified by victim were sent for DNA test and matching at Centre for DNA Finger Printing and Development (CDPD), Hyderabad;

(vi) Combing operations around the place of occurrence, possible routes and points of escape were carried out in great detail;

(viii) Over 14,000 persons have so far been questioned which include 2000 suspects who were interrogated at great length;

(viii) The investigation of the case has been transferred from the South District Police to a Special Investigation Team of the Crime Branch consisting of experienced and seasoned officers headed by an additional Commissioner of Police; and

(ix) A reward of Rs. 50,000/-, which was subsequently enhanced to Rs. 4 lakh, has been announced for giving clue to apprehend the suspects.

(d) and (e) Two Head Constables and two Constables under the supervision of one Inspector had been deployed for security of the parking lot where the incident occurred. All of them have been placed under suspension.

SHRI LALIT SURI: Sir, the hon. Minister has given a very detailed report with regard to the rape case that took place on 14th October, 2003. However, we see from the report that no progress has been made in catching the culprits so far. The case is of a very serious nature because it pertains to a Swiss Diplomat, and it also affects our country's image. In the past, we have seen that the rape cases have been on the rise in Delhi, as compared to other metro cities. The reason behind such crimes is that the beastly instincts in a man are becoming more and more dominant. I would like to know from the hon. Minister what is being done in this case. Rape cases are worse than murder cases because in a murder the victim dies and that is the end, but a rape victim has to live every day of her life in fear and trauma. Therefore, is there any way by which special courts can be set up to see to it that expeditious trial of such cases can take place and maximum punishment can be given to the victims, so that the fear of God can be instilled in the wrong-doers?

SHRI HARIN PATHAK: Sir, first of all, with regard to this case, I share the grief, agony, pain, sorrow and anguish, prevailing among the Members of this House. जो घटना घटी है, उससे सबको बहुत दर्द हुआ है, दुख हुआ है। माननीय सदस्य चाहते हैं कि ऐसी घटनाएं न हों और अगर हों तो उनमें कड़ी से कड़ी सजा दी जाए। उस संदर्भ में भी सरकार सोच रही है। उन्होंने स्पैशल सैशन कोर्ट्स के बारे में स्पेसिफिक प्रश्न पूछा है। एक अप्रैल से तीन स्पैशल सैशन कोर्ट्स, with female judges as Presiding Officers, were constituted by the High Court. These are hepled by three female prosecutors to try fresh cases of rape. So, we are trying to see to it that stringent punishment is given in this sort of cases.

SHRI LALIT SURI: Sir, according to paragraph 4 of the reply, they say, "Photographs of 74 suspects were sent to the victim and she gave positive indication about some of them, who were examined/interrogated at length." I would like to know whether any team—along with the photographs of suspects and other information gathered by way of interrogations that had taken place with various people—is being sent from here to Switzerland to discuss the things with her. If any such proposal is there, when will it be implemented?

SHRI HARIN PATHAK: Sir, the lady, who is the victim of this heinous crime, is very cooperative. We had sent some photographs to her, and seven photographs of suspects have been identified by her. उनके डीएनए के

सैम्पल्स लिए गए। वे सारे सैम्पल्स हैदराबाद में भेजे गए हैं लेकिन अनफोर्चुनेटली उनमें से किसी के भी सैम्पल्स अभी मैच नहीं हुए हैं। वह अभी भी हमें पूर्ण रूप से सहयोग दे रही हैं। हम कोशिश कर रहे हैं कि किसी भी तरह से कलप्रिट्स तक पहुंचा जाए। अभी तक इस संबंध में 14000 लोगों को क्वेश्चन किया गया है।

Out of them 2,000 people were interrogated thoroughly, deeply and in depth. So, from all corners, the Delhi Police is trying to find out the real culprits.

SHRI PRANAB MUKHERJEE: Sir, the hon. Minister has given a detailed statement stating that over 14,000 people have so far been questioned which include 2000 suspects, and that photographs of 74 suspects have been sent for identification. No doubt, all these are eleborate arrangements, but this also shows that we don't have hard intelligence collecting mechanism through which these types of crimes could be detected and criminals could be apprehended. Therefore, it speaks of some serious lacuna in our intelligence gathering system and in the criminal investigation system. I don't know what is going to happen in this particular case. But, definitely, it points to a serious lacuna in the system where despite questioning over 14,000 people, circulating 74 photographs, making eleborate arrangements, you have not been able to make a real breakthrough even after the lapse of a long time. Therefore, it speaks of a serious lacuna in our criminal intelligence building mechanism and the intelligence collection mechanism. Is the Government going to take some serious steps in this direction?

SHRI HARIN PATHAK: It is a very good suggestion. The Mallimath Committee report was submitted to us, and some of the recommendations of the Mallimath Committee report are being incorporated in the legislation, which was moved in this House. And some of the recommendations have been sent to the State Government also. The hon. Member has put this question, and I want to say that whatever best we can do, we are doing. We are on the job.

SHRI PRANAB MUKHERJEE: You are doing the best, but the culprit has not been caught.

SHRI HARIN PATHAK: Yes, Sir, I admit it.

SHRIMATI N.P. DURGA: Sir, according to the report of the National

Crime Records Bureau, 36 per cent of the rape cases in the country are taking place in Delhi alone. Sir, is it not true that the Law Commission recommended three years ago for structural changes, including setting up of special courts to deal with the cases of rape and sexual abuse? And, is it true that the task force set up for it has also recommended for changes in the Indian Penal Code? If yes, I would like to know what action the Ministry has taken on these recommendations.

SHRI HARIN PATHAK: Sir, I have just now replied that as far as Delhi is concerned, three special courts, headed by women judges, have been set up. Various steps for implementing the recommendations of the Law Commission and the National Commission for Women have already been taken up. I want to mention some of them. We have already deployed plain-cloths police officers at such places where women gatherings are there like women establishments, colleges, and educational institutions. Lady Police Officers have been deployed there. As I mentioned, three special courts have been established, and we are implementiong the recommendations of the National Commission for Women, ...(*Interruptions*)...

MR. CHAIRMAN: I am giving preference to lady Members on this question.

SHRIMATI PREMA CARIAPPA: Sir, the crime rate in Delhi is very high. I would like to know from the hon. Minister whether there is a shortage of police personnel in the capital. If so, what is the ratio of police officers to citizens in the national capital today? And, what steps are being taken by the Government to augment police strength for effective patrolling at sensitive places?

SHRI HARIN PATHAK: As I mentioned just now, there is no lacuna or gap in the ratio. The Commission has given some recommendations. There are about nine recommendations. If the hon. Member desires, I can read out all the recommendations.

MR. CHAIRMAN: There is no need to read out all the recommendations.

SHRI HARIN PATHAK: But I would like to say that the question has been asked, particularly, with regard to the Swiss Diplomat. As regards the rest of the information, all the material is with me, if the hon. Member

desires, I can share the same with her. This question, particularly, relates to the Swiss Diplomat. As regards the rest of the information, If the hon. Members desire, I can share the same with them. I can do it in writing also. If the hon. Chairman permits, I can lay it on the Table of the House.

श्रीमती माया सिंह: माननीय सभापति महोदय, मैं आपके माध्यम से मंत्री महोदय से कहना चाहती हूं कि दिल्ली पुलिस की तमाम कोशिशों के बावजूद भी आज तक वह अपराधी पकड़ा नहीं गया है, मगर विदेशों में भारत की छवी इस घटना से खराब हुई है। जब एक डिप्लोमेट महिला हमारे देश में सुरक्षित नहीं है तो आम महिला की स्थिति क्या होगी इसका हम अंदाज लगा सकते हैं। दिल्ली में इस तरीके की घटनाओं में लगातार वृद्धि हो रही है। इसको रोकने के लिए मैं मंत्री महोदय से आग्रह करना चाहती हूं कि कुछ ऐसी व्यवस्थाएं आपके द्वारा होनी चाहिएं ताकि यहां पर महिलाएं और जो स्टूडेंट्स लड़कियां हैं उनके अंदर भी जो इस तरीके की असुरक्षा का भाव पैदा हो रहा है, वह खत्म हो, कृपा करके क्या मंत्री महोदय इसके बारे में बतायेंगे?

श्री हरिन पाठक: महोदय, यह मैंने पहले बता दिया है कि जहां-जहां पर महिलाओं की सुरक्षा का प्रबन्ध करना है वहां पर सरकार ने प्रबन्ध किया है और सरकार कोशिश करती है कि ऐसी घटनाएं न हों।

श्री सभापति: जो पहले जवाब दिया है उससे ज्यादा इसमें कोई फर्क नहीं है।

डा० कुमकुम राय: सभापति महोदय, मूल प्रश्न में स्विस दूतावास की कर्मी के साथ में हुए बलात्कार का जिक्र है, लेकिन पिछले दिनों में चाहे वह बुद्धा जयंती गॉर्डन में छात्रा के साथ में हो या घर में घुस करके पुलिस कर्मियों द्वारा किसी किशोरी के साथ में हो, आए दिन ये घटनाएं होती चली जा रही हैं और मंत्री महोदय ने जो जवाब दिया है वह घटना के पश्चात् की जाने वाली कार्यवाहियों पर उन्होंने प्रकाश डाला है कि अदालतें गठित कर दी गईं, महिला पुलिसकर्मी स्कूल से लेकर कालेज तक तैनात होंगे। सर, मैं आपके माध्यम से मंत्री महोदय से जानना चाहती हूं कि क्या इस सामाजिक बुराई को खत्म करने के लिए आपने कोई विशेषज्ञ समिति स्थापित की है और इसके कारणों को खोजने के लिए क्या कोई प्रयास आपने किया है और तत्पश्चात् इसको हल करने का कोई सुझाव पेश करेंगे?

श्री हरिन पाठक: सभापति महोदय, ये जो चार-पांच घटनाएं पिछले 6 महीने में हुई हैं, उसके बाद विमेन कमीशन ने अपनी रिपोर्ट तैयार की और रिपोर्ट के आधार पर उन्होंने रेकमेंडेशंज दी हैं। उन रेकमेंडेशंज के आधार पर सारी कार्यवाही जो सरकार ने करनी है, वह सारी कार्यवाही की है। पहले भी सरकार सचेत थी। यह पहले ही कह दिया है कि यह जो घटना घटी है इससे हम सब को एक प्रकार का बहुत बड़ा दुख हुआ है। मगर सरकार की कोशिश यही है कि ऐसी घटनाएं न हों और इसके लिए सरकार पूरी तरह से प्रयत्नशील है।